

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**TEXTRON INNOVATIONS INC.,**

**Plaintiff,**

**Civil Action No. 05-486 (GMS)**

**v.**

**THE TORO COMPANY,**

**Defendant.**

**DECLARATION OF DAVID M. YOUNG**

I, David M. Young, depose, declare and state as follows:

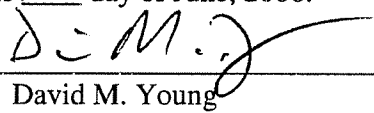
1. My name is David M. Young. I am an attorney and a partner with the law firm Hunton & Williams, LLP, which represents the plaintiff Textron Innovations Inc. in the above action. I am over eighteen years old, and the facts stated herein are based on my own personal knowledge, and if called, I could and would testify competently as to the following facts.
2. Attached to this declaration as Exhibit A is a true and correct copy of Exhibit 10 from Toro's brief in support of its motion for leave to amend its answer and counterclaim.
3. Attached to this declaration as Exhibit B is a true and correct copy of Exhibit 4 from Toro's brief in support of its motion for leave to amend its answer and counterclaim.
4. Attached to this declaration as Exhibit C is a true and correct copy of the record of the Patent Office record of assignments for United States Patent No. 6,047,530 ("the '530 Patent") as obtained on this date from the United States Patent and Trademark Office web site at uniform resource locator ("URL") [www.uspto.gov/assignments](http://www.uspto.gov/assignments).
5. Attached to this declaration as Exhibit D is a true and correct copy of excerpts from a Textron, Inc., Securities and Exchange Commission Form-10-K, obtained on this date at

uniform resource locator ("URL") <http://www.shareholder.com/Common/Edgar/217346/217346-98-6/98-00.pdf>.

6. Attached to this declaration as Exhibit E is a true and correct copy of Toro's Prior Art Statement in this case, served on or about June 1, 2006.

7. Attached to this declaration as Exhibit F is a true and correct copy of the '530 Patent-in-suit in this case.

Signed under the pains and penalties of perjury, this 13<sup>th</sup> day of June, 2006.

  
\_\_\_\_\_  
David M. Young

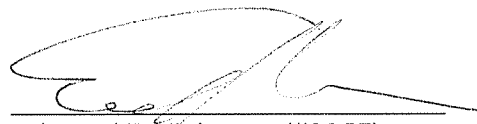
**CERTIFICATE OF SERVICE**

I, Edmond D. Johnson, hereby certify that on the 13<sup>th</sup> day of June, 2006, I caused a copy of the foregoing ***Declaration of David M. Young*** with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire  
David E. Moore, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951

Via facsimile and first class mail upon:

Earl D. Reiland, Esquire  
Thomas R. Johnson, Esquire  
Thomas J. Leach, Esquire  
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3200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402

  
Edmond D. Johnson (#2257)